

7th Street Property Development Timeline

Votes taken by the Village Council to explore feasibility of sale of property:

7/9/2019 Village Council Vote

Approve survey from JFK Land Surveying Consultant, LLC of 7th St for \$2700

Roll call vote: Yeas (7) Nays (0) motion carried **

Approve Gosling Czubak's proposal to perform wetland delineation and Phase 1 environmental study for 7th St. - \$6150

Roll call vote: Yeas (7) Nays (0) motion carried **

10/8/2020 Village Council Vote

Approve Gosling Czubak's proposal to complete Phase 2 ESA at 7th St for \$13,500.

Roll call vote: Yeas (7) Nays (0) motion carried **

2/4/2021 Village Council Vote

Public Hearing for 2021-22 Budget & Tax Millage

Budget proposal included Capital Improvement Fund Revenues from sale of 7th St properties.

Roll call vote: Yeas (7) Nays (0) motion carried **

10/7/2021 Village Council Vote

Vote to table construction of 7th St road

Roll call vote: Yeas (2) Nays Ager and Harper (5) motion FAILED **

Vote to approve the construction of "Maude Ct" (name for 7th St project)

Roll call vote: Yeas (6) Nays (1) Harper motion carried **

** For complete explanation see below.

10/3/2019: The Village Council received a report from the Planning Commission dated 9/19/2019, listing options for developing the 7th Street property. [Ed Note: The minutes do not reflect that the Council referred the report to the Finance Committee and authorized a wetlands delineation by DEQ or a qualified expert.]

10/16/2019 Finance Committee Minutes

The Committee reviewed a report from the Planning Commission with suggested uses for the 7th Street property. The Committee agreed by consensus to explore selling the property which would generate property tax revenues and more sewer hookups in the Village.

11/7/2019 Village Council Meeting Minutes

E. Finance- Minutes from the October 16, 2019 Finance Committee meeting were provided.

Clerk Scott noted that the Finance Committee would like to move forward with selling the 7th Street DPW property and that she had been in contact with Steve Voice, from Voice Environmental who could help assist the village with a wetland delineator if needed.

7/8/2020 Finance Committee Minutes

Mr. Korr outlined his proposal to survey the Seventh Street property vacated by DPW. He will conduct interviews and research/review records to survey and establish the boundary of the parcel. He plans then to mark the North property line to allow for locating any wetlands. Wetland delineation work will be carried out by another party. Once complete, Mr. Korr will complete final placement of missing and reestablished boundaries. He will prepare a certificate of survey map of the property in accordance with PA 132 and also develop a new, more accurate land description. Finally, he will prepare a sketch plan of various parcels. Cost: \$2,800. The Village could consider selective timber harvest to offset some costs of the survey. Mr. Korr recommends a Title search and review of documents by a real estate attorney.

Mr. Simsa offered a proposal to perform wetland delineation services, Phase 1 Environmental Assessment to detect any hazardous materials and Geotechnical Exploration with a minimum of 2 soil borings. Cost: \$6,700.

The Finance Committee recommends accepting both proposals.

**7/9/2020 Village Council Meeting Minutes

Approve Survey and Wetland Delineation of Seventh Street: Trustee Gale Moved to accept the Finance Committee's recommended to approve the land survey from JFK Land Surveying Consultant, LLC-\$2,800 for Seventh Street. Roll Call Vote: Yeas (7) Nays (0) Motion Carried.

Trustee Gale Moved to accept the Finance Committee's recommended to approve the Gosling Czubak's proposal to perform a wetland delineation and phase 1 environmental study-\$6,150 for Seventh Street. Roll Call Vote: Yeas (7) Nays (0) Motion Carried.

9/30/2020 Finance Committee Minutes

The Committee reviewed a Phase II Environmental Survey Assessment proposal from Gosling Czubak Engineering Services (GCES). The proposal references two (2) Underground Storage Tanks on the property that the Village has not been able to identify or verify. If the location of the USTs is in error, some of the soil boring may not be necessary. The Committee wishes to proceed with the Phase II Assessment by carrying out all necessary soil borings. Tom Gremel will follow up with GCES to determine the original source of the UST information to clarify how many samples will need to be taken.

**10/8/2020 Village Council Meeting Minutes

Approve Gosling Czubak's proposal to complete Phase II ESA at 7th Street: The Finance Committee recommends the approval of the Phase II ESA with Gosling Czubak in the amount of \$13,500. Trustee Gale Moved, Supported by Trustee Cook to approve the Phase II ESA with Gosling Czubak in the amount of \$13,500. Roll Call Vote: Yeas (7) Nays (0) Motion Carried.

11/11/2020 Finance Committee Minutes

Scott recommends depositing funds from the sale of the Levy property into the capital fund. If the Council decides to sell the 7th Street property, those funds would also be deposited to the Capital fund initially.

12/9/2020 Finance Committee Minutes

The Phase 2 Environmental Survey Assessment of the 7th Street property has been completed, but the report is still pending. Several individuals have expressed interest in the property.

1/5/2021 Finance Committee Minutes

The Capital Fund will reflect revenue from the sale of the Levy property and possible sale of the 7th Street property vacated by DPW. These revenues will allow the Village to fund several capital projects such as the 8th Street salt barn, improvements to the 7th Street property and repairs to the Village office building. [Ed Note: from summary of proposed budget for 2021-22]. The Phase 2 Environmental Survey Assessment of the 7th Street property has been completed, and we expect a report at the regular Finance Committee meeting on January 13.

1/13/2021 Finance Committee Minutes

Mr. Sitsma provided a written Phase 2 ESA report prior to the meeting. He summarized the findings as generally very positive. Three monitoring wells and 19 soil borings were placed. Testing of soil and water samples first identified approximately 10 potential problem areas. Follow up testing narrowed the concerns to three: elevated lead and naphthelene levels in soil and zinc in the groundwater at two locations, all near the vacated building. Mr. Sitsma will prepare an estimate for additional testing if the Village wishes to attempt to identify the source of the zinc found in the groundwater. Testing would be easier if the building and concrete were removed. DPW Superintendent Holton has spoken with representatives of Bay Area Recycling for Charities (BARC) about deconstructing the 7th Street DPW building. They are receptive to taking on the project and will work with Supt. Holton to schedule the work.

1/28/2021 Finance Committee Minutes

Clerk Scott reviewed final adjustments to the 2021-22 budget that reflect input from Infrastructure and Waterfront Committees, the Harbormaster and Water Operator. Major features of the budget include bonds to finance renovations at the marina and the purchase of DPW equipment and potential sale of Village owned property at 7th Street and Northshore Dr. Staff were asked to confirm with bond attorney Steve Mann whether the Council can proceed with a sale without conducting a public hearing.

Clerk Scott prepared four budget amendments, explained the reason behind each amendment and answered questions. Both the budget and budget amendments have been placed in dropbox to give Trustees ample time to review prior to the budget hearing.

**2/4/2021 Village Council Minutes

401 CAPITAL IMPROVEMENTS FUND 2021-22

Beginning balance - \$130,000

402 CAPITAL IMPROVEMENT FUND REVENUES

693.000 SALES FROM ASSETS		\$620,750
	TOTAL -	\$620,750

Revenue Detail:

Sale of Levy property \$180,750

Sale of 7th Street property, 4 parcels \$440,000

Public Hearing for the 2021-22 Budget and Tax Millage: President Wetherbee opened the Public Hearing at 7:20 pm. No comments were made. President Wetherbee closed the Public Hearing at 7:22 pm. Trustee Gale Moved Supported by Trustee Gremel to adopt the resolution approving the Milleage tax rate and adopting the 2021-22 budget. Roll Call Vote: Yeas (7) Nays (0) Motion Carried.

2/10/2021 Finance Committee Meeting

Mr. Simsa reviewed the proposal to follow up on three sites identified during the Phase 2 Environmental Survey Assessment to identify the “areal and vertical extent” of zinc and lead found in soil and groundwater near the vacated 7th Street DPW garage. It is not possible to predict the precise number of soil borings that will be necessary to delineate the area of contamination so Mr. Simsa provided a range of expenses. Heavy metal testing must be conducted off site. Mitigation will include removal of affected soil and deed restrictions to prohibit tapping of groundwater with zinc and/or lead contamination. Testing would be scheduled after removal of the garage building. Markers for monitoring wells 1, 2 and 3 will be maintained to allow further monitoring of the direction of groundwater flow. Soil boring markers may be removed by DPW to permit use of the property for storage and demolition activities this winter. The committee will study the proposal and discuss further at the March meeting before making a recommendation to the Council.

Mr. Korr outlined the series of steps the Village will need to take if the Council elects to divide and sell the property. The first is to submit a Land Division Application to the County Assessor. His preliminary survey identified four parcels of 1+ acres (the maximum allowed under metes and bounds survey). One or two more parcels could be platted as site condominiums. He has sought advice from the Village attorney and is awaiting an answer. The Village does not have an ordinance governing land division, but typically the assessor and zoning administrator would present a recommendation to the Planning Commission. Next a topographic survey with one foot contours would be prepared. This survey could be helpful to the testing team in determining groundwater flow. With this information in hand, the proposed land division can be laid out, including the location of the private road. Mr. Korr has been working on a “road map to development” that he will send to staff once completed.

Chris Holton asked if evaluation of the property by a forester would be appropriate. The Committee agreed it would be beneficial to identify trees for harvesting, removal and areas for replanting. Chris will make arrangements.

During public comment, Mr. Harper voiced concern that the Council and public are not aware of the tentative plans for the 7th Street property and encouraged more transparency. He also questioned whether the Village wanted to become a property developer and encouraged comparison of sale of the property “as is” versus sale of ready-to-build parcels.

3/10/2021 Finance Committee Minutes

DPW Supt. Holton and Clerk Scott continue to work with John Korr to get estimates for preparing the 7th Street property for sale or development. DTE, Consumers Energy and Spectrum/Charter Communications are working with a layout plan to estimate connection costs. Bay Area Recycling for Charities (BARC) will remove the building for \$9,800 and reuse materials when possible. Kallie Craker noted the school is hoping to add a storage building. Holton will inquire about the school's needs before finalizing arrangements with BARC.

5/12/2021 Finance Committee Minutes

We are still awaiting cost estimates for road construction and utility connections. In the interim, we will consider placing deed restrictions on the property to encourage owner-occupied homes, maintain a vegetative buffer and protect the wetlands. Some contents of the old DPW building have not been removed so deconstruction is delayed until the end of the month.

6/9/2021 Finance Committee Minutes

7th Street property: Bay Area Recycling for Charities will move equipment to the site the last week of July and will begin dismantling the building the first week of August. John Korr continues to work with staff on preparing the site for sale and recommends consulting the Village attorney about phase 3 environmental assessment testing. Topography maps from Prein & Newhof were distributed. An easement will be needed to run water from 7th to North Shore. Eric Seguin will provide engineering estimates. Cindy engaged a forester to evaluate the property with John Korr and Chris Holton on July 14. We would like to incorporate report findings into deed restrictions on the parcels.

7/14/2021 Finance Committee Minutes

Bay Area Recycling for Charities will move equipment to the site the last week of July and will begin dismantling the building the first week of August. John Korr continues to work with staff on preparing the site for sale and recommends consulting the Village attorney about phase 3 environmental assessment testing. Topography maps from Prein & Newhof were distributed. An easement will be needed to run water from 7th to North Shore. Eric Seguin will provide engineering estimates. Cindy engaged a forester to evaluate the property with John Korr and Chris Holton on July 14. We would like to incorporate report findings into deed restrictions on the parcels.

8/11/2021 Finance Committee Minutes

7th Street property: Consumers Energy has not removed the meter, so Bay Area Recycling for Charities is unable to begin dismantling the building. Eric Seguin provided an initial engineering estimate of costs in excess of \$240,000 if we fully pave a cul-de-sac with 12' lanes and loop the water main to North Shore. The cost estimate was reduced to \$190,000 by building 10' lanes of sealed aggregate and

establishing an easement to extend the main from the new hydrant to North Shore in the future. The itemized cost estimate is available in the Village office. The forester completed his evaluation of the property and will meet with John Korr and Village staff to discuss his recommendations. John Korr will mark the road bed to better visualize what timber needs to come down. Deed restrictions on the parcels currently under consideration include a 30' vegetative buffer along North Shore, a "building envelope" which will add an additional vegetative buffer between structures and protect wetlands, minimum building size, and a time limit to complete construction. Because the road will roughly follow the old railroad track, the committee is considering the name "Maude Court" for the new street.

9/8/2021 Finance Committee Minutes

Clerk Scott offered an update on the 7th Street property. A revised engineering cost estimate was distributed. The water main extension loop to North Shore is excluded from this estimate because the Water Fund has insufficient funds to cover the cost this year. The site will be prepped and easement established, allowing us to complete the loop in a future fiscal year. The DNR has given tentative approval to leaving a dead-end in this phase of the project. Deering Tree Service assessed the timber value at approximately \$9,300. John Korr will stake building envelopes on 9/11 so we can identify which trees to harvest and sell in October. The precise timing is still uncertain. Kal Excavating is standing by to begin road construction when we are ready. Consumers Energy removed power at the old DPW building and BARC is on site beginning to deconstruct the barn.

**10/7/2021 Village Council Minutes

Approve, reject, or table "Maude Ct." project:

President Wetherbee opened up the discussion of pursuing the construction of "Maude Ct." on 7th Street. The construction of the road would allow for the continuation of the development of 4 lots. Construction would include removal of trees for the road, initial grading, utility easement and road bed preparation for Maude Ct.

Trustee Harper Moved, Supported by Trustee Ager to table the decision to continue to develop the 7th Street project. Discussion: Trustee Harper and Trustee Ager felt that the village needed to have more public input and possibly a public hearing. Trustee McCann noted that during his time served on the Planning Commission that the residents on 7th Street were not in favor of a park and would like to see a continuation of residential homes. McCann also stated that the development followed Redevelopment Ready Community programs.

Roll Call Vote: Yeas (2) Trustees Harper, Ager Nays (5) President Wetherbee, Trustees Cook,

McCann, Gremel and Gale. Motion Failed.

Trustee McCann Moved, Supported by Trustee Gremel to approve the construction of “Maude Ct.” Discussion: Trustee Gale offered to provide a timeline of the 7th Street project.

Roll Call Vote: Yeas (6) Nays (1) Trustee Harper. Motion Carried.